



Commonwealth Human Rights Initiative

New Delhi, India • London, UK • Accra, Ghana

NGO in Special Consultative Status with the Economic & Social Council of the United Nations

Date: 07/06/2019

International Director
Sanjoy Hazarika

Senior Advisor
Maja Daruwala

International Advisory
Commission:
Yashpal Ghai - Chairperson

Members:
Alison Duxbury
Wajahat Habibullah
Vivek Maru
Edward Mortimer
Sam Okudzeto
Sanjoy Hazarika

Executive Committee (India):
Wajahat Habibullah - Chairperson

Members:
B.K. Chandrashekar
Jayanto Choudhury
Maja Daruwala
Nitin Desai
Kamal Kumar
Poonam Muttreja
Jacob Punnoose
Vineeta Rai
Nidhi Razdan
A P Shah
Sanjoy Hazarika

Executive Committee (Ghana):
Sam Okudzeto - Chairperson

Members:
Akoto Ampaw
Yashpal Ghai
Wajahat Habibullah
Kofi Quashigah
Juliette Tuakli
Sanjoy Hazarika

Head of Africa Office
Wilhelmina Mensah

Executive Committee (UK):
Joanna Ewart-James - Acting
Chairperson

Members:
Pralab Barua
Richard Bourne
Tony Foreman
Neville Linton
Suzanne Lambert
Sanjoy Hazarika

Head of UK Office
David White

To,
**The Secretary General
National Human Rights Commission
Manav Adhikar Bhavan
Block-C, GPO Complex, INA
New Delhi- 110 023
Fax: 011-24651329**

Dear sir,

Sub: Submission of complaint for monitoring the police investigation into the alleged murder of Shri Rajesh @ Raju Sondharva s/o murdered RTI activist and human rights defender Shri Nanjibhai Sondharva, of Rajkot District, Gujarat, belonging to the Dalit community and related matters

I wish to bring to your notice the recent incident of murder of a 19-year old youth, named Rajesh @ Raju Sondharva who was a resident of Manekwada village in Rajkot District of Gujarat on 22 May, 2019. The deceased is the eldest son of well-known RTI activist and human rights defender, Late Shri Nanjibhai Meghabhai Sondharva r/o the same village. Late Nanjibhai Sondharva was allegedly murdered on 09 March, 2018 in the same village for seeking information about irregularities committed in a road construction project in the village. This case was registered by this Hon'ble Commission as Case No. 830/6/21/2018 based on my complaint dated 19/03/2018. The brief facts of these cases are as follows:

- 1) Shri Nanjibhai Meghabhai Sondharva r/o Manekwada village of Kotda Sangani Taluka, Rajkot District and belonging to the Dalit community was allegedly murdered by six armed men on 09/03/2018 after he sought information about the construction of a road in his village under *The Right to Information Act, 2005* (RTI Act);
- 2) I submitted an online complaint to this Hon'ble Commission providing some details of the said incident of murder with a prayer to conduct an inquiry into the incident. A copy of the said complaint along with a news report of the incident is at **Annexe 1**. I also prayed for this Hon'ble Commission to direct the Gujarat Government to take concrete steps to prevent attacks on RTI Users and activists in Gujarat;
- 3) Subsequently, this Hon'ble Commission was pleased to call for a report on the entire incident from the concerned authorities in Gujarat. A copy of the communication to this effect issued by this Hon'ble Commission on 24/04/2018 is at **Annexe 2**;

- 4) Subsequently, vide its communication dated 02/08/2018, this Hon'ble Commission informed me that it has closed the said complaint on the ground that charge sheet had been committed in the trial court and the matter was *sub judice*. A copy of the said communication is at **Annexe 3**;
- 5) Subsequently, both the print and electronic media have reported that Shri Rajesh @ Raju Sondharva, s/o Late Shri Nanjibhai Sondharva and aged about 19 years old was brutally attacked on 22 May, 2019 by a group of people in Manekwada village. The grievously injured victim was taken to a nearby hospital where he succumbed to his injuries. Copies of two news reports of this incident are at **Annexes 4 & 5**;
- 6) **Media reports have alleged that Shri Rajesh @ Raju Sondharva had refused to make compromises in relation to his father's murder trial and had moved the trial court against one of the accused for violating the conditions of bail that had been granted to him;**
- 7) With some difficulty, I have obtained a scanned image of the **FIR bearing number I/0009/2019 and dated 22 May, 2019**, caused to be registered at Kotada Sangani Police Station, Rajkot District, in the said case of the alleged murder of Shri Rajesh @ Raju Sondharva, through some civil society activists and human rights defenders in Gujarat. A printout of the same is at **Annexe 6**;
- 8) **The Gujarat Police have refused to upload a copy of the said FIR on their website by labelling the case "sensitive"**. A copy of the web printout is at **Annexe 7**. This action is in complete violation of the guidelines laid down by the Hon'ble Supreme Court of India in the matter of *Youth Bar Association of India vs. Union of India & Ors.*, Writ Petition (Crl). No. 68 of 2016, order dated 07 September, 2016;

In relation to an earlier complaint that I had submitted to this Hon'ble Commission, in October 2015, praying for monitoring the police investigation into the murder of another RTI activist and human rights defender, Shri Ratansinh Choudhary, r/o Banaskantha District, Gujarat, this Hon'ble Commission was pleased to register it as Case No. 1249/6/4/2015. A copy of the complaint and the orders of this Hon'ble Commission is at **Annexe 8**.

After monitoring the progress of the police investigation into the said case, this Hon'ble Commission was pleased to close the case with the following directions (**Annexe 9**):

"The Commission carefully considered the materials on record and took note of the facts and circumstances of the case. The allegations made by the complainant were duly acted upon by the police and necessary action was taken against the miscreants as per law and the matter was sub judice. **However, it was directed that the Government of Gujarat must ensure freedom of expression of RTI activists and HRDs and give them necessary protection.** As per law.... It might be indicated that the SP Banaskantha be directed to provide necessary security to the family of the deceased strictly as per law." (emphasis supplied)

Upon receiving this communication, I telephonically informed the then Focal Point for HRDs of this Hon'ble Commission that the entire set of directions had

been issued to the Superintendent of Police, Banaskantha whereas, at least one of the directions, namely, to provide security for all RTI activists and HRDs was intended for the State Government of Gujarat. However, I did not receive any further communication from this Hon'ble Commission directing the Gujarat Government to act on the said direction.

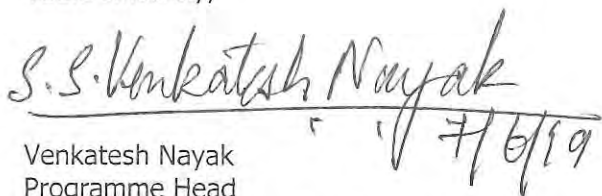
I would like to draw the attention of this Hon'ble Commission that so far at least 13 RTI activists and HRDs have been allegedly murdered for using the RTI Act to expose corruption and wrongdoing at various levels of the Government of Gujarat. A searchable database of media reports of these cases is being maintained by us at the Hall of Shame: Mapping Attacks on RTI Users at: <http://attacksonrtiusers.org/>

Despite the timely interventions of this Hon'ble Commission, the phenomenon of attacks on RTI users continues unabated in Gujarat. A major factor responsible for this unfortunate situation is the closure of the complaint case by this Hon'ble Commission after the investigations are completed and trial in these cases is commenced. In the absence of any independent observers witnessing and reporting the progress made in these trials, the accused are emboldened to commit actions such as the latest instance of murder of Shri Rajesh @ Raju Sondharva in Manekwada village of Rajkot. He had to pay the price of his life for seeking access to justice in the ongoing trial of his father's murder case.

The acute vulnerability of not only RTI activists and HRDs but also their family members who are fighting for justice belies the national motto – *satyameva jayate* and the constitutional promise of justice for all envisioned in the Preamble of the Constitution of India and enshrined in various segments of Part III of this document, Articles 14 & 32, in particular.

I urge this Hon'ble Commission to not only register this case formally and inquire into the latest incident of alleged murder of Shri Rajesh @ Raju Sondharva but also set up a credible mechanism to observe and report back on the progress made in all criminal trials relating to the murders and assaults of RTI users, activists and HRDs.

Thanking you,
Yours sincerely,



Venkatesh Nayak
Programme Head
Access to Information Programme

Cc: Dr. Dnyaneshwar Manohar Mulay, Member, NHRC



Format for filing complaint with the NHRC

A. COMPLAINANT'S DETAILS

1. Name: Venkatesh Nayak
2. Sex: Male
3. Full address: Commonwealth Human Rights Initiative, #55A, 3rd Floor, Siddharth Chambers-1, Kalu Sarai, New Delhi – 110 016
4. District: New Delhi
5. State: Delhi
6. PIN Code: 110016
7. Mobile: +91-9871050555
8. Email id: venkateshnayak.ss@gmail.com

B. INCIDENT DETAILS

1. Incident Place (Village/Town/City): Sodia village, Rajkot Taluka
2. State: Gujarat
3. District: Rajkot District
4. Date of Incident: 09/03/2018

C. VICTIM'S DETAILS

1. Name of the Victim: Nanjibhai Meghabhai Sondharva S/o Meghabhai Maganbhai Sondharva
2. Number of Victims: One
3. Full address: R/o Manekvada, Kotada Sangani Taluka
4. District: Rajkot
5. State: Gujarat
6. PIN Code: 360 030
7. Religion: Hindu
8. Caste: Unknown
9. Sex: Male
10. Age: 35 years
11. Whether disabled person: No

D. Brief Summary of facts/allegations of human rights involved:

The victim, Nanjibhai Meghabhai Sondharva was an RTI activist who had filed RTI application under the Right to Information Act, 2005 to seek details of road construction in his village - Manekvada. On 09 March, 2018, he was attacked by six men armed with clubs because they allegedly wanted to prevent him from getting access to information about the village construction. After the attack left him unconscious on the road, He was taken to a Rajkot Civil hospital where he was declared "brought dead". Details of the incident are in the enclosed news report (Annexe - 1). This incident is an attack on and murder of an RTI activist who qualifies to be treated as a Human Rights Defender.

E. Whether complaint is against Members of Armed Forces / Para Military

No

F. Whether similar complaint has been filed before any Court/ State Human Rights Commission?

No

G. Name, designation & address of the public servant against whom complaint is being made

Mahendra Singh Jadeja who is the Sarpanch of Manekvada village is said to have led the attack on the victim

H. Name, designation & address of the authority /officials to whom the public servant is answerable

1. Dr. Vikrant Pandey /AS, District Collector, District Collector, Office, Shroff Road, Rajkot – 360 001
2. Shri A. Sood, /PS, Superintendent of Police, SP's Office, Rajkot – 360 001

I. Prayer/ Relief if any, sought

The victim's father Meghabhai Manghbhai Sondharva has caused an FIR of No. I/13/2018 to be filed on 10/03/2018 at Police Station Kotada Sangani in Rajkot district about this incident (Annexe 2). He is alleged to have named the Village Sarpanch and his henchmen as being responsible for the attack on his son. As this is an incident of attack on an RTI activist who was seeking information about the manner of spending of public funds, the deceased Nanjibhai Sondharva deserves to be treated as a Human Rights Defender.

The NHRC may please cause an inquiry to be conducted into the whole incident as it has been doing till date on the basis of this complainant's complaint of murderous attacks on RTI activists in other districts across the country. This Hon'ble Commission may also please provide protection to the victim's family. This Hon'ble Commission may be pleased to direct the Government of Gujarat to take concrete steps to prevent attacks on RTI users and RTI activists in the State. This Hon'ble Commission may be pleased to direct the State Government to complete the investigation into this incident of murder without any delay and send the accused to trial.



Signature of the Complainant

Printed from

THE TIMES OF INDIA

Villager who sought info under RTI clubbed to death

TNN | Mar 11, 2018, 04.00 AM IST

Rajkot: A man who had sought information under the Right To Information (RTI) was clubbed to death by six assailants near Sodia village of Rajkot taluka on Friday night. Police identified the deceased as Nanji Sondarva (35), a resident of Manekwada village, in Kotda Sangani taluka of Rajkot district.

Police have booked six accused in the case on the complaint of Nanji's father Meghabhai Sondarva, who alleged that his son was murdered after he filed an RTI application, seeking details of the alleged financial irregularities in a newly constructed road in his village.

"In his complaint, Meghabhai has alleged that Nanji, who was driving to Manekwada from Rajkot on his bike, was waylaid by Mahendrasinh Jadeja, Narendrasinh Jadeja, Ghanshyamsinh Jadeja, Jitendrasinh, Nirmalsinh Jadeja and Jaga Bharwad, who rammed Nanji's bike with their car. When Nanji was toppled to the ground, they attacked him with clubs and iron pipes.

Passers-by noticed Nanji's blood soaked body and informed Meghabhai, who reached the spot and took Nanji to Rajkot Civil Hospital, where he was declared brought dead," an official from Kotada Sangani police station said.

Of the accused mentioned in the complaint, Mahendrasinh Jadeja is the sarpanch of Manekwada village. In his complaint Meghabhai alleged that the accused led by Mahendrasinh killed Nanji as they harboured grudge against him for filing an RTI application against them.

"When Nanji had filed an RTI application one-and-a-half years ago, Mahendrasinh and other accused had attacked him, his

wife, mother, Meghabhai and his other family members. The accused were then booked by Kotada Sangani police station for attempt to murder,” the official added.

Meanwhile, Nanji’s family members refused to accept his body, saying they would not do so till all the accused in the case are arrested. It was only after the police promised that they would arrest the accused soon that they took possession of the body.



Assistant Registrar(LAW)
Fax No.: 011-2465 1332
Home Page : <http://nhrc.nic.in>

Case No. 830/6/21/2018/OC

NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)

MANAV ADHIKAR BHAWAN
BLOCK-'C', G.P.O. COMPLEX, INA, NEW DELHI - 110023

Dated 24/04/2018

Case No. 830/6/21/2018/

To

THE SUPERINTENDENT OF POLICE
RAJKOT, GUJARAT

28 MAY 2018

Sub : Complaint from

VENKATESH NAYAK, PROGRAMME COORDINATOR
55 A, 3RD FLOOR, SIDDHARTH CHAMBERS-1, KALU
SARAI,
NEW DELHI, DELHI.

Sir,

The complaint dated 19/03/2018, was placed before the Commission on 24/04/2018 . Upon perusing the complaint, the Commission directed as follows.

Transmit a copy of the complaint to the concerned to the authorities calling for a report within four weeks.

In case, the report is not received within the stipulated time, the Commission shall be constrained to invoke coercive process u/s 13 of the Protection of Human Rights Act, 1993 for personal appearance of the concerned authority.

2. Accordingly, I am forwarding herewith a copy of the complaint for taking appropriate action in the matter as per the directions of the Commission. It is requested that an Action Taken Report be sent to the Commission within 4 weeks from the date of receipt of this letter.

Yours faithfully,

ASSISTANT REGISTRAR (LAW)

CC to:

✓ Case No. 830/6/21/2018/

VENKATESH NAYAK, PROGRAMME COORDINATOR
55 A, 3RD FLOOR, SIDDHARTH CHAMBERS-1, KALU SARAI,
NEW DELHI, DELHI.

ASSISTANT REGISTRAR(LAW)

NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)
MANAV ADHIKAR BHAWAN, BLOCK-C, G.P.O. COMPLEX,
INA, NEW DELHI- 110023

Dated 02/08/2018

Case No. 830/6/21/2018

20 AUG 2018

To

✓
VENKATESH NAYAK, PROGRAMME COORDINATOR
55 A, 3RD FLOOR, SIDDHARTH CHAMBERS-1, KALU
SARAI,
NEW DELHI, DELHI.

Sir/Madam,

With reference to your complaint dated 19/03/2018, I am directed to say that the matter was considered by the Commission on 31/07/2018. The Commission has made the following directions.

The Commission has received a complaint dated 19.03.2018 from S.S. Venkatesh Nayak belonging to Commonwealth Human Rights Initiative, Kalu Sarai, New Delhi, alleging that the victim Nanjibhai Meghabhai Sondharva was attacked by six men armed with clubs and he was declared dead by doctors when he was taken to the hospital. He was an RTI activist who was getting access to information about the village construction. The complainant sought the relief of complete investigation into the incident of murder without delay and sends the accused persons to trial.

Pursuant to the notice issued by the Commission, a report dated 01/07/2018 was submitted by the Superintendent of Police, Rajkot (Rural), Gujarat.

The report states that First Crime Register No. 13/2018 dated 10.03.2018 u/s 302/142/147/148/149/120(B)/506(2) of IPC and Sec. 135 of G.P. Act, Sec. 3(1)(R)(S), 3(2) (5) of Atrocity Act was registered at P.S.-Kotda Sangani against named accused persons. The statements of witnesses supporting the complaint were recorded and six accused persons were arrested and sent to jail by the court. The report further states that charge sheet No. 14/2018 for the offences above has been committed to the court.

The report be taken on record.

The Commission has perused and considered the report. In the above case, charge sheet has been committed to the court. The Commission needs not to intervene further in the matter being sub-judice.

Hence, the case is hereby closed.

This is for your information.

Yours faithfully,



ASSISTANT REGISTRAR(LAW)

CC :-



Printed from

THE TIMES OF INDIA

Slain RTI activist's 19-year-old son murdered in village near Rajkot

TNN | May 23, 2019, 04.00 AM IST

Rajkot: Tempers were running high in Rajkot on Wednesday after a 19-year-old class XII student, son of slain RTI activist, was brutally thrashed to death by a group of people in Manekwada village, 50 km from the city.

The deceased Rajesh alias Raju was the son of Nanji Sondarva, the RTI activist who has murdered in the same village in March last year. Sondarva, a Dalit was murdered, allegedly for seeking information on financial irregularities in construction of road, by Rajput community members.

Those who attacked Rajesh, a student of city-based Virani High School, are reportedly sons of some of the people arrested for killing his father.

Rajesh, who stayed in M G Hostel in Rajkot, He had gone home for vacation. On Tuesday night, he and his friend Milan Parmar were returning home on a two-wheeler when a group of people intercepted them near Bapa Sitaram temple and started thrashing Rajesh with sticks and pipes. While Milan ran away from the spot, a critically injured Rajesh was brought to Rajkot Civil Hospital, where he succumbed early on Wednesday morning.

As soon as the news of his death spread, angry Dalit community members blocked the roads at Hospital Chowk near the statue of Dr Babasaheb Ambedkar. Police had a tough time controlling the crowd and traffic was stopped on several roads.

Dalit leader and MLA Jignesh Mewani, who reached Rajkot on Wednesday evening, warned that Rajesh's body will be taken to chief minister Vijay Rupani's residence on Thursday morning if the state government fails to meet their demands.

Talking to TOI, superintendent of police, Rajkot rural, Balram Meena, said, "We have detained six out of the eight persons named by Rajesh's family and they are being interrogated. They are the sons of those accused of killing his father Nanji

Sondarva last year.”

Six people of Rajput community were arrested in this murder case but they got bail from Gujarat high court few months ago.=.

Talking to media persons, Mewani said, “Police should provide the protection to the victim’s family and fulfil all other demands like job and land for the family. If our demand is not met by Thursday morning, we will be forced to take his body at CM’s house in Rajkot at 10am.”

Mewani also sought investigation into this case by CID (crime) or a special investigation team and that the community must have a say in appointment of one officer in the probe team.

Out of the total 1,500 population in Manekwada, there are 150 Patel families, 35-40 Rajput families and around 15-20 Dalit households.

Issue weapon licenses to Dalits, demands BJP MLA

Rajkot: Lakha Sagathiya, BJP MLA from Rajkot rural constituency, extended support to the Dalits and went on to demand weapon license for the community people. Seeking forensic postmortem of the victim’s body, Sagathiya said, “Rajesh’s family had been living under constant fear after his father’s murder. They want to shift to Rajkot for which, the government must give them a plot, Rs 25 lakh cash assistance and government job for his mother. The government must also bear the entire cost of Rajesh’s younger brother’s studies.”

He added: “Since the police are unable to provide protection to the Dalits in the village, they should be issued weapon license.”



Gujarat: ‘Dalit teen killed for trying to get bail of his father’s killer cancelled’

Rajesh noticed that one of those accused of murdering his father was roaming freely in his village, despite having secured bail on the condition that he would not enter the district.



Written by Gopal Kateshiya |Rajkot |Published: June 4, 2019 4:15:22 am

Rajesh Sondarva — the teenage son of Dalit RTI activist, murdered a year ago — was clubbed to death allegedly by a group of upper-caste Kshatriya men in Rajkot district on May 22 as he had been trying to get the bail of one of those, accused of murdering his father, cancelled and was not ready for a compromise in old cases, CID-Crime has revealed. Meanwhile, a local court in Gondal town sent four of the eight accused in **Rajesh’s murder case to judicial custody Monday.**

“**Rajesh noticed that one of those accused of murdering his father was roaming freely in his village, despite having secured bail on the condition that he would not enter the district. He moved the court and this apparently incensed the accused, leading to Rajesh’s murder,**” an officer, who is privy to the investigation, said on the condition of anonymity.

The 19-year-old Dalit was allegedly intercepted by the group of men while he, along with a friend, Milan Parmar, was returning home in Manekvada village in Kotda Sangani taluka from Rajkot city and clubbed to death in the wee hours of May 22.

Rajesh’s father Nanji Sondarva was also allegedly murdered by a group of men from Kshatriya community on March 9, 2018, after he alleged corruption in development projects in Manekvada village and sought details of criminal antecedents of the accused. Police had booked Manekvada-residents Mahendrasinh Bhikhubha Jadeja, Ajaysinh Jadeja, Jitendrasinh Chandubha Jadeja, Jitendrasinh Nirmalsinh Jadeja, Narendrasinh Jadeja and Jagabhai Bharwad for Nanji’s murder and arrested all of them. However, the Gujarat High Court had granted them bail. Mahendrasinh is

husband of Beenaba Jadeja, a sitting Congress member of Kotda Sangani taluka panchayat and son of then Manekvada village sarpanch Bhikhubha Jadeja.

The Sondarvas said Jitendrasinh Chandubha was granted bail on the condition that he would not enter Rajkot district. However, he was spotted roaming freely in the village and Gondal town. **"Rajesh had been trying to get his bail cancelled," the officer said, adding bootlegging in the village was also a bone of contention between the Dalit family and the accused. "Majority of the accused have criminal antecedents."**

Police have booked Hardeepsinh Narendrasinh Jadeja, Mahedrasinh and his son Divyarajsinh alias Kumar, Yashpalsinh alias Akrunbha Ajitsinh Jadeja and his brother Deependrasinh, Dhruvrajsinh alias Dhanubha Ajaysinh Jadeja, Ajaysinh and Hardeepsinh Bahadursinh Gohil in **Rajesh's murder** case, based on a complaint filed by his younger brother Ajay. While Hardeepsinh, Divyarajsinh, Yashpalsinh and Dhruvrajsinh were arrested on May 27, Mahendrasinh, Ajaysinh, Deependrasinh and Hardeepsinh were arrested on May 29.

Police said that Divyarajsinh is son of Mahendrasinh, while Dhruvrajsinh is son of Ajaysinh.

Mahendrasinh and Ajaysinh are the common accused in the murders of both Nanji and his son. **"Ajaysinh had been externed from Rajkot district, while Hardeepsinh had faced action** under Prevention of Anti-Social Activities Act for his involvement in bootlegging," the officer further said. Police said the accused had been trying to force the Dalits to strike a truce with them, but did not succeed. **"The Dalit family had filed around half-a-dozen other cases of atrocities against the accused. This increased the hostilities, leading to Rajesh's murder," said the officer.**

CID (Crime) said that Ajay was assaulted by plastic fibre handles of shovels. **"We have recovered five such plastic fibre handles of pavidas from the accused. We have also seized eight mobile phones. According to the primary report of the post-mortem, all the accused had hit the victim on his lower limbs. This seems intentional. But we are waiting for the final post-mortem report to ascertain if the victim had sustained any internal injury also," the officer added.**

As police remand of Hardeepsinh, Divyarajsinh, Yashpalsinh and Dhruvrajsinh ended Monday, the CID (Crime) produced them in a local court in Gondal.

Source: <https://indianexpress.com/article/cities/rajkot/gujarat-dalit-teen-killed-for-trying-to-get-bail-of-his-fathers-killer-cancelled-5763577/>





SR No	FIR Number	FIR Date & Time	Police Station	District / City	View Pdf
1	III/0069/2019	20/05/2019	Kotada Sangani	Rajkot Rural	View PDF
2	III/0070/2019	21/05/2019	Kotada Sangani	Rajkot Rural	View PDF
3	I/0009/2019	22/05/2019	Kotada Sangani	Rajkot Rural	The FIR is not viewable, as the same has been treated as SENSITIVE by the Competent Authority.(સંવેદનશીલ ગણવામાં આવેલ હોવાથી આની એફ.આઈ.આર. વેબસાઇટના માધ્યમથી જોઈ શકાશે નહીં.)
4	I/0010/2019	23/05/2019	Kotada Sangani	Rajkot Rural	View PDF
5	III/0071/2019	26/05/2019	Kotada Sangani	Rajkot Rural	View PDF



Commonwealth Human Rights Initiative

New Delhi, India • London, UK • Accra, Ghana

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

Date: 20/10/2015

Director
Maja Daruwala

International Advisory
Commission:
Yeshpal Ghai – Chairperson

Members:
Alison Duxbury
Vivek Maru
Sam Okudzeto
Neville Linton
Wajahat Habibullah
Edward Mortimer
Maja Daruwala

Executive Committee (India):
Wajahat Habibullah – Chairperson

Members:
B.K. Chandrashekar
Nitin Desai
Jacob Punnoose
Sanjoy Hazarika
Kamal Kumar
Poonam Muttreja
Ruma Pal
A.P. Shah
Maja Daruwala

Executive Committee (Ghana):
Sam Okudzeto – Chairperson

Members:
Akoto Ampaw
Neville Linton
Kofi Quashigam
Yashpal Ghai
Wajahat Habibullah
Juliette Tuakli
Maja Daruwala

Executive Committee (UK):
Neville Linton – Chairperson

Members:
Richard Bourne
Meenakshi Dhar
Syed Sharfuddin
Joe Silva
Clare Doube
Frances Harrison
Katie O'Byrne
Rita Payne
Purna Sen
Michael Stone

To,
**The Secretary General
National Human Rights Commission
Manav Adhikar Bhavan
Block-C, GPO Complex, INA
New Delhi- 110 023
Fax: 011-24651329**

Dear sir,

**Sub: Submission of complaint for monitoring the police
investigation into the alleged murder of RTI activist and
human rights defender Shri Ratansinh Chaudhary of
Banaskantha district, Gujarat**

I wish to bring to your notice a recent incident of murder of an RTI activist and human rights defender in Gujarat. The deceased is one Shri Ratansinh Chaudhary, aged 30, who was a farmer living in Garamdi village, Suigam taluka of Banaskantha district, Gujarat.

Shri Ratansinh Chaudhary is said to have recently filed a request for information under *The Right to Information Act, 2005* (RTI Act) regarding the distribution of relief assistance for victims of floods that ravaged the area during the monsoons. The motivation for the RTI intervention is said to be suspicion about the irregularities committed in the distribution of relief by local politicians and bureaucrats.

Shri Ratansinh is said to have received threats from local politicians soon after the RTI application was filed with the district administration. On 17th October, the Late Shri Ratansinh is said to have been attacked in his farm, in front of his son, by four residents of the village. They are said to have beaten him repeatedly with stout sticks which allegedly resulted in his death. The Suigam Police station has registered an FIR against the four perpetrators. A video recording of the acknowledgement of the Suigam police authorities that such an incident occurred and that the FIR has been caused to be filed by the deceased's father, was telecast by local TV Channel TV9 Gujarat and is accessible at this link: <https://www.youtube.com/watch?v=Qlk2nsUQA-w> A copy of a brief report appearing in the print media about this incident is also enclosed for your reference. However there is very little information in the public domain about the action taken by the police to identify the conspirators behind this crime of murder.

CHRI urges the Commission to take cognizance of this complaint in the manner as it has done in similar cases of murders of RTI activists in the

55A, Third Floor, Siddharth Chambers, Kalu Sarai, New Delhi 110 016
Tel: +91 11 4318 0200, Fax: +91 11 4318 0217 & +91 11 2686 4688
Email : info@humanrightsinitiative.org, www.humanrightsinitiative.org
Registration No. S-24565 & FCRA Registration No. 231650671

past and seek reports from the Gujarat Police about the action taken to bring the perpetrators to book. Such interventions in the past by the NHRC have resulted in those cases being investigated more rigorously by the State Police leading to the discovery of the identity of conspirators of such crimes and bringing them to book.

I will send you any other reports that I may receive from local civil society groups that have gone to Banaskantha to inquire into the circumstances of the murder.

Thanking you,
Yours sincerely,

S.S. Venkatesh Nayak
20/10/15

Venkatesh Nayak
Programme Coordinator
Access to Information Programme



Other

Posted at: Oct 19 2015 3:23PM

Share

RTI activist murdered

Ahmedabad, Oct 19 (UNI) Right to Information activist Ratansinh Chaudhary, 30, was killed by four people near the border town of Suigam in Banaskantha district last Saturday for having exposed a systematic racket of swindling compensation amount meant for flood-affected people. According to Suigam police inspector N R Patel, Chaudhary was on way to his farm when four people attacked him with sticks, killing him on the spot.

Top News

Is tolerance and acceptance of dissent on the wane, questions President

New Delhi, Oct 20 (UNI) President Pranab Mukherjee expressed apprehension about whether tolerance and acceptance of dissent are on the wane.

Addressing a gathering in Birbhum district of West Bengal during a function organised by Nayaprajanma, a local weekly newspaper and Suri Sabujer Abhijan, a cultural organisation, the President reminded the audience of the teachings of Shri Ramakrishna Paramhansa 'Jato Mat Tato Path' (As there are a number of beliefs, there are a number of ways).

Share

1

Tweet

1

20 Oct 2015 | 8:09 AM

Controversial J&K MLA attacked with black ink

New Delhi, Oct 20 (UNI) Three men attacked the controversial Jammu and Kashmir Independent MLA Engineer Rashid with black ink and paint at the Press Club of India (PCI) here, police said.

The MLA, who hit the headlines for hosting a beef party, a day before Jammu and Kashmir Assembly was to take up the beef ban issue, was attacked when he came out of the PCI after addressing a press conference, demanding justice for the family of a truck driver, who was killed in Udhampur on rumours of cow slaughter.

Share

2

Tweet

1

20 Oct 2015 | 8:20 AM

13 feared dead as mini bus falls into gorge in Udhampur

Jammu, Oct 20 (UNI) At least 13 people were feared dead and many others injured when a mini bus they were travelling in plunged into a deep gorge in Udhampur district of Jammu and Kashmir today.

"A mini bus on way from Ghodi to Tehsil Ramnagar of Udhampur at 0845 hours skidded off the road near Dalsar and plunged into a deep gorge when the driver failed to negotiate a sharp turn," police spokesperson here said.

Share

0

Tweet

1

20 Oct 2015 | 10:13 AM

Delhi govt recommends to lower juvenile age in rape cases to 15 years

New Delhi, Oct 20 (UNI) As part of steps to ensure safety of women in the national capital following three incidents of rape of minor girls last week, Delhi government recommended to reduce the juvenile age to 15 years in rape cases.

Addressing media persons here after a cabinet meeting, Mr Kejriwal said the cabinet has recommended reducing the juvenile age limit to 15 years in rape cases.

UNI Photo



KOLKATA, OCT 19 (UNI):- West Bengal Governor Keshari Nath Tripathi (2nd R) during the inaugurating at a puja pandal at North Kolkata on Monday. UNI PHOTO-121U

Other Links

[UNIVARTA \(News Agency\)](#)
[Indian News Agency](#)
[UNI-Urdu Service\(News Agency\)](#)
[Indian News Agency](#)
[UNI Mail](#)




Assistant Registrar(LAW)
Fax No.: 011-2465 1332
Home Page : <http://nhrc.nic.in>

Case No. 1249/6/4/2015/NH
NATIONAL HUMAN RIGHTS COMMISSION

(LAW DIVISION)
MANAV ADHIKAR BHAWAN
BLOCK-'C', G.P.O. COMPLEX, INA, NEW DELHI - 110023

Dated 16/12/2017

Case No. 1249/6/4/2015/

To

THE SUPERINTENDENT OF POLICE
BANASKANTHA, GUJARAT

17 JAN 2018

Sir/Madam,

The complaint dated 20/10/2015 received from VENKATESH NAYAK, PROGRAMME CO-ORDINATOR in respect of RATANSING CHAUDHARY, was placed before the Commission on 12/12/2017. Upon perusing the complaint, the Commission directed as follows.

These proceedings should be read in continuation of the earlier proceedings of the Commission dated 27.11.2017.

The substance of the complaint dated 20.10.2015 by complainant Activist Venkatesh Nayak from Delhi was that one Ratan Singh Chaudhary 30 yrs. was a farmer by profession and also an RTI Activist and a human rights defenders in Gujarat. It was reported that he wanted some information regarding distribution of flood relief assistance to the affected. Before disclosure of such information to him on 17.10.2015 he was attacked in his farm by some miscreants with stout stick which resulted in his death. The entire incident was witnessed by his son and four resident of the village. The incident became a matter of wide publicity in print and electronic media. Thus the complainant sought the intervention of the Commission for necessary action against the miscreants.

The Commission took cognizance of the matter and issued notice to the SP, Banaskantha, Gujarat to submit an action taken report. In response to the same, a report dated 31.8.2017 was received from the SP, Banaskantha, Palampur. It was intimated that an FIR was registered at Suigam PS as first offence registered No. 43/2015 u/s 302/303/504/34/120 B r/w section 135 GP Act. During investigation the accused person were arrested, the weapons of offence were recovered from the possession of the miscreants and after conclusion of investigation, the I.O. submitted chargesheet vide CC No. 1/2016 dt. 12.1.2016 which was numbered as CC48/2016 and the matter was pending trial.

The Commission carefully considered the materials on record and took note of the facts and circumstances of the case. The allegations made by the complainant were duly acted upon by the police and necessary action was taken against the miscreants

as per law and the matter was subjudice. However, it was directed that the Government of Gujarat must ensure freedom of expression of RTI activist and HRDs and give them necessary protection as per law.

In the circumstances, the matter required no further intervention of the Commission, accordingly the case be closed with an intimation to the complainant.

It might be indicated that the SP, Banaskantha be directed to provide necessary security to the family of the deceased strictly as per law.

2. Accordingly, I am forwarding the complaint in original for necessary action as per the directions of the Commission.

Yours faithfully,

ASSISTANT REGISTRAR (LAW)

CC To :

Case No. 1249/6/4/2015/
VENKATESH NAYAK, PROGRAMME
CO-ORDINATOR
COMMONWEALTH HUMAN RIGHTS INITIATIVE,
55A, THIRD FLOOR, SIDDHARTH CHAMBERS, KALU
SARAI,
DELHI, DELHI.

ASSISTANT REGISTRAR(LAW)